

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.	§	
	§	
V.	§	No. 6:12-CV-17
	§	
AT&T MOBILITY LLC, ET AL.	§	

ADAPTIX, INC.	§	
	§	
V.	§	No. 6:12-CV-20
	§	
PANTECH WIRELESS, INC. ET AL.	§	

ADAPTIX, INC.	§	
	§	
V.	§	No. 6:12-CV-120
	§	
CELLCO PARTNERSHIP d/b/a	§	
VERIZON WIRELESS, ET AL.	§	

**ORDER REGARDING BRIEFING SCHEDULE
AND SETTING HEARING**

The above-referenced causes of action were referred to the undersigned United States Magistrate Judge for pre-trial purposes in accordance with 28 U.S.C. § 636. The Court enters the following *sua sponte*.

On February 27, 2015, the Court granted Defendants AT&T Mobility LLC; LG Electronics, Inc., LG Electronics U.S.A., Inc.; Cellco Partnership d/b/a Verizon Wireless; and Pantech Wireless, Inc.'s motion for leave to file motions for summary judgment due to potential issue and/or claim preclusion arising from final judgments recently entered in related cases before the District Court

for the Northern District of California, Case Nos. 5:13-cv-01776; -01777; -01778; -01844; and - 02023 (the “NDCA actions”). The Court orders the following briefing schedule regarding Defendants’ motion and sets the motion for hearing April 14, 2015.

In addition, the Court finds a hearing on the following motions would be beneficial and sets these for hearing as well April 14, 2015:

(1) AT&T’s Motion for Summary Judgment of No Direct Infringement (Cause No. 6:12cv17, Docket Entry # 244);

(2) LG’s Motion for Summary Judgment (Cause No. 6:12cv17, Docket Entry # 245)(Cause No. 6:12cv120, Docket Entry # 236);

(3) Verizon’s Motion for Summary Judgment of No Direct Infringement (Cause No. 6:12cv20, Docket Entry # 256)(Cause No. 6:12cv120, Docket Entry # 237); and

(4) Defendants’ Motion for Partial Summary Judgment of No contributory Infringement (Cause No. 6:12cv17, Docket Entry # 315)(Cause No. 6:12cv20, Docket Entry # 313)(Cause No. 6:12cv120, Docket Entry # 300).

Each side is limited to three (3) hours total for oral argument at the hearing. This includes presentation of all five motions and any responses or replies thereto.¹

With regard to the other pending motions of which the Court is well aware, the Court, in its discretion, may set hearings on these motions at a later date. Based on the foregoing, it is

ORDERED that on or before March 16, 2015, Defendants shall file their Motions for Summary Judgment of Issue Preclusion and/or Claim Preclusion in the above cases. It is further

ORDERED that on or before April 2, 2015, Adaptix, Inc. shall file a response to Defendants’ Motions for Summary Judgment Due to Issue and/or Claim Preclusion. It is further

¹ The Court makes every effort to conduct motion hearings in Tyler Division cases in Tyler, Texas. But in this instance, given the number of motions pending, the Court will conduct the hearings in Texarkana, Texas. This is strictly being done to allow the parties the required amount of time these motions deserve.

ORDERED that on or before April 10, 2015 at 8:30 a.m., Defendants may file any reply brief. It is further

ORDERED that Adaptix may file any surreply brief by 12:00 p.m. on Monday, April 13, 2015. It is further

ORDERED that the above-referenced summary judgment motions are hereby scheduled for hearing before the undersigned at **9:00 a.m** on April 14, 2015 at the United States District Court, 500 N. Stateline, Fourth Floor Courtroom, Texarkana Texas.

SIGNED this 11th day of March, 2015.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE